

FILIPPATOS PLLC
Employment Law, Litigation & ADR

Tanvir H. Rahman
Admitted in NY & NJ

199 Main Street, Suite 800
White Plains, NY 10601
filippatoslaw.com ♦ bestworkplacelawyers.com

Phone/Fax: 914-984-1111 Ext. 505
trahman@filippatoslaw.com

September 25, 2024

VIA ECF

Hon. Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Spirgel v. Bank of New York Mellon Corporation*, 1:23-cv-06082-PAE

Dear Judge Engelmayer:

We represent Plaintiff in the above-captioned action matter and write with Defendant, pursuant to Rule 1(E) of Your Honor's Individual Rules, to respectfully request that the current deadline for Plaintiff to respond to Defendant's pending Motion to Amend Its Answer to Plaintiff's Complaint (Dkt. No. 29) (the "Motion") of September 26, 2024, and the deadline to file a pre-motion letter concerning any motion for summary judgment, currently set for September 27, 2024, be held in abeyance while the parties engage in settlement discussions with the aid of a private mediator (which the parties have set for October 9). The mediation may not only resolve the issues set forth in the pending Motion, but resolve this matter in its entirety. We respectfully request that we provide an update to the Court within three weeks, or by October 15, 2024, whether the matter has been resolved and/or whether there is still a need for motion practice on the pending Motion. This is the third request for an adjournment of Plaintiff's deadline to file an opposition to the Motion, the previous two requests having been granted by the Court, and the parties' first request for an adjournment of the deadline to file a pre-motion letter regarding summary judgment. All other deadlines will remain as is.

We thank the Court for its consideration of this matter.

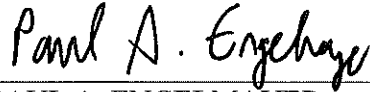
Respectfully submitted,

/s/ Tanvir H. Rahman

cc: All Counsel of Record (via ECF)

GRANTED. The Court stays until October 15, 2024 plaintiff's deadline to respond to defendant's motion to amend, Dkt. 29, and the parties' deadline to file any pre-motion letter seeking to move for summary judgment. It directs the parties to file a status update on October 15, 2024. Thereafter, in the event the Court lifts the stay, plaintiff should be prepared to promptly respond to defendant's motion to amend, and the parties will be required to promptly file any pre-motion letter seeking to move for summary judgment.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer". The signature is written in a cursive, flowing style. It is positioned above a horizontal line.

PAUL A. ENGELMAYER
United States District Judge

Dated: September 26, 2024
New York, New York